

NINTH REPORT
ESTIMATES COMMITTEE
(1985-86)

(EIGHTH LOK SABHA)

MINISTRY OF RAILWAYS

RAILWAY SAFETY

**Action taken by Government on the recommendations
contained in the Fifty-Sixth Report of Estimates
Committee (Seventh Lok Sabha)**



Presented to Lok Sabha on 20 August 1985

LOK SABHA SECRETARIAT
NEW DELHI

July, 1985/ Sravana, 1907(S)

Price : Rs. 2.25

296-39501

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**STUDY GROUP ON ACTION TAKEN REPORTS OF
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(1985-86)

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INTRODUCTION

I, the Chairman of the Estimates Committee having been authorised by the Committee to submit the Report on their behalf present this Ninth Report on action taken by Government on the recommendations contained in the Fifty-sixth Report of the Estimates Committee (Seventh Lok Sabha) on the Ministry of Railways—Railway Safety.

2. The fifty-sixth Report was presented to Lok Sabha on 22nd December, 1983. Government furnished their replies indicating action taken on the recommendations contained in that Report on 25th July, 1984. The replies were examined by Study Group of Estimates Committee on Action Taken Report at their sitting held on 17th July, 1985. The draft Report was adopted by the Committee on 22 July, 1985.

3. The Report has been divided into following Chapters:—

I. Report

II. Recommendations/Observations which have been accepted by Government

III. Recommendations/Observations which the Committee do not desire to pursue in view of Government's replies.

IV. Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee.

V. Recommendations/Observations in respect of which final replies of Government are still awaited.

4. An analysis of action taken by Government on the recommendations contained in fifty-sixth Report of Estimates Committee (Seventh Lok Sabha) is given in Appendix. It would be observed

(viii)

that out of 30 recommendations made in the Report, 25 recommendations *i.e.* about 84 per cent have been accepted by Government. Replies have not been accepted in respect of 4 recommendations *i.e.* about 13 per cent. Final replies of Government in respect of 1 recommendation *i.e.* about 3 per cent are still awaited.

NEW DELHI;
July 29, 1985.

CHINTAMANI PANIGRAHI,
Chairman,
Estimates Committee.

Sravana 7, 1907 (Saka)

CHAPTER I

REPORT

1.1 This Report of the Estimates Committee deals with action taken by Government on the recommendations contained in their 56th Report (7th Lok Sabha) on the Ministry of Railways—Railway Safety which was presented to Lok Sabha on 22 December, 1983.

1.2 Action Taken notes have been received in respect of all the 30 recommendations contained in the Report.

1.3 Action taken notes on the recommendations of the Committee have been categorised as follows:—

- (i) Recommendations|Observations which have been accepted by the Government:—

2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29 and 30.

(Total—24 Chapter II)

- (ii) Recommendations|Observations which the Committee do not desire to pursue in view of the Government replies:—
NIL.

(Chapter III)

- (iii) Recommendations|Observations in respect of which Government's replies have not been accepted by the Committee:—

Sl. Nos. 1, 4, 23, 24 and 25.

(Total—5 Chapter IV)

- (iv) Recommendations|Observations in respect of which final replies are still awaited:—

Sl. No. 26.

(Total—1 Chapter V)

1.4 The Committee will now deal with action taken by Government on some of the recommendations.

Utilisation of 'Accident Compensation Safety and Passenger Amenities Fund

Sl. No. 1 (Para No. 1.13)

1.5 The Committee had observed that as on 31 March, 1984, the 'Accident compensation, Safety and Passenger Amenities Fund' had accumulated a balance of Rs. 46 crores. As the payment of compensation was but a minor part of the expenditure from the fund, the Committee had concluded that such improved safety measures and passenger amenities as could be provided were not provided. The reasons adduced by the Railways for this neglect being not convincing, the Committee had recommended that money kept apart for specific purposes ought to be spent and the objectives realised and that if there were any constraints imposed by the Planning Commission in that regard, the matter should be sorted out with them.

1.6 The Ministry have in their reply stated that "When the Planning Commission imposes total ceiling on the plan funds, the railways could not spend more than the ceiling. If the plan allocation was inadequate, it becomes inevitable to attempt some sort of balancing between the requirements under different plan heads. The solution, therefore, in fact lay in increased plan allocation for the railways and the Railways will plead with the Planning Commission for higher allocation."

1.7 The Committee reiterate their earlier recommendation that moneys kept apart for a specific purpose ought to be spent and the objective realised unless the objective itself is changed in the light of subsequent developments. Railway Safety being accorded high priority by the Railways themselves, the Committee would like the Planning Commission as well as the Railways to keep this in mind while finalising the 7th Plan allocations for the Railways.

Review of Safety Organisations

Sl. No. 4 (Para No. 1.40)

1.8 The representatives of the Ministry of Railways had during their evidence before the Committee stated as follows:—

".....what we found is that the existing (Safety) Organisations should work more purposefully by increasing the inspections and follow up action. So, we have been

stressing to get more and more out of the existing set up. Among the Safety Counsellors also, we have seen that on certain Divisions full complement was not provided and in one or two cases complaint also came up that the quality of the Counsellors provided was not up to the mark."

In this context, the Committee had, in paragraph 1.40, recommended that Safety Organisation and its achievements should be critically reviewed and the Organisation qualitatively strengthened.

1.9 The Ministry of Railways have, in their reply, *inter-alia* stated:—

"The performance of the Safety Organisation is kept under constant watch. A number of posts of Divisional Safety Officers have been upgraded from the Senior Scale to the Junior Administrative Grade. It is proposed to allot Junior Administrative Grade on all the Divisions as soon as possible.

Safety Counsellors working on the Divisions are in different grades. In order to select the most suitable persons, the posts of Safety Counsellors are treated as Ex-Cadre. It is proposed to allocate higher grades to Safety Counsellors as soon as possible."

1.10 The earlier recommendation of the Committee that the Safety Organisation of the Railways and its achievements should be critically reviewed was based on the admission by the representatives of the Railways before the Committee during their evidence that the existing safety Organisation "should work more purposefully by increasing the inspection and follow up action." The Committee are not satisfied with the reply of the Ministry that the "Performance of the Safety Organisation is kept under constant watch." The mere upgradation of posts of Divisional Safety Officers would not achieve the desired results. The Committee would like the Railways to have the performance of their Safety Organisation critically reviewed by an outside agency and introduce such improvements in its personnel, technology and methods of work as may be necessary in the light of the findings and recommendations of the review.

Time Limit for Settlement of claims

Sl. No. 23 (Para No. 3.61)

1.11 Having been informed that the claims for compensation for booked goods and animals damaged or destroyed in accidents were

settled in 6 or 7 weeks but in exceptional cases it had even taken years, the Committee had observed that there was need to specify the period within which the claims should be settled. Such a provision would, the Committee had felt, instil in the minds of officers concerned a sense of urgency to dispose of the claims at the earliest.

1.12. The Ministry have in their reply, stated :

“urgency for settlement of compensation claims is emphasised on Railways from time to time. Directives have already been issued to the Railways that claims should be disposed of within a reasonable time, which should not exceed six weeks. To work within this target, Railways have been advised that avoidable steps of processing be eliminated and there should be no delays in inquiries, verifications, correspondence, etc. The following additional steps have been taken to achieve this target :-

- (a) Monetary powers of officers, Inspectors and Station Masters of selected important stations have been enhanced;
- (b) Monetary limit of claims requiring financial concurrence has been enhanced;
- (c) Mobile claims offices have been set up at a number of stations to receive and settle claims on the spot;
- (d) Submission of missing goods report in advance to Claims offices; and
- (e) Streamlining and re-organisation of machinery for settlement of compensation claims.

Statistics about the settlement of compensation claims cases are being called for from the Railways regularly in order to keep a watch on the speed of settlement of claims. The officers entrusted with the task of settlement of claims are thus always kept alive to the importance of quick settlement of claims.

Though this Ministry is keen and every effort is made to settle all claims as expeditiously and with as little inconvenience to the Claimants as possible, in some cases involving heavy amount and requiring detailed enquiries, delay is unavoidable for various reasons. Some of the important factors resulting in delay include :—

- (a) Non-production of relevant legal documents such as Original Railway Receipt, Beejuck, shortage|deficiency certificate and letter of authority in cases where claimant was not the consignee or endorsed consignee for admissibility of claims;
- (b) Delay in availability of accident proceedings where consignments are involved in accidents;
- (c) Criminal interference needing investigation by police, involving seizure and delay in disposal or release instructions, and
- (d) Delay in receipt of investigation report from Railway Protection Force, Government Railway Police and Special Police Establishment, etc.

During 1981-82, the average time taken for settlement of claims on all Indian Railways was 40 days and the same for 1982-83 was 43 days, close to the target of 42 days.

In view of the constraints explained above it was not feasible to specify a rigid period within which a claim has to be settled."

1.13 The Committee fail to understand why it is not feasible to specify in the Indian Railway Act itself a time limit for settlement of a claim for compensation for booked goods and animals damaged or destroyed during transit when in the past two years the average time taken in disposal of the claims has been less than 45 days. The Committee would like the Railways to reconsider the recommendation of the Committee in consultation with the Ministry of Law for they feel that a time limit fixed for disposal of the cases will keep the concerned official on their toes, minimise chances for malpractices and at the same time also ensure timely relief to the genuinely affected persons.

System of Supervision and random checks on the Work of Claims Officers

Sl. No. 24 (Para No. 3.62)

1.14 The Committee had observed that there was a feeling among the public that there were corrupt practices in the matter of settlement of claims and that even false claims were admitted by Railway Officials in collusion with the claimants. In order to dispel this impression, the Committee recommended that Railways should

devise a stricter system of supervision and random checks on the work and performance of claims officials at various levels and for deterrent action against those found to be indulging in corrupt practices.

1.15 The Ministry have in their reply, enumerated the important provisions of the existing system of settlement of claims which according to them, provide for safeguards against corrupt practices or collusion of Railway officials with the claimants.

1.16 The Ministry have further stated that when specific complaints regarding any malpractice in the settlement of claims are received, these are investigated by the Vigilance Organisation and suitable follow-up action is taken against defaulting staff. Besides, preventive checks are also conducted at random by the Vigilance Organisation at stations where such claims arise and also in the claims offices where these are settled. The Ministry have assured that preventive checks at stations and claims offices are being intensified.

1.17 The Committee had formed a general impression that because of collusion between the Claim Inspectors and the claimants even false claims could be settled. When the attention of the representative of the Ministry of Railways was drawn in this direction during evidence, he candidly admitted: "unfortunately, where vested interest develops, this kind of malpractice is there . . ." In this context the Committee had made the recommendation that "Railways should devise a stricter system of supervision and random checks on the work and performance of railway officials at various level and for deterrent action against those found to be indulging in corrupt practices." In their reply the Ministry have merely stated the existing safeguards against corrupt practices or collusion of railway officers with the claimants. Evidently the existing safeguards have not proved adequate to prevent corruption among Railway officials in this field, the existence of which was admitted before the Committee at the highest level in the Railway administration. The Committee, therefore, reiterate their earlier recommendation and desire the Railways to have the existing safeguards prescribed in this behalf reviewed to make them more effective in preventing corruption. Besides as recommended by them earlier, there should be a provision for deterrent action against those found to be indulging in corrupt practices so as to serve as an example to other functionaries.

*Intransit Condition for Transport of Animals***Sl. No. 25 (Para No. 3.63)**

1.18 The Committee had, in paragraph number 3.63, recommended that the intransit conditions of transport of animals by rail should be reviewed keeping in view the health and safety of the animals. They had also urged sympathetic consideration being given to the claims arising out of death of or injury to animals during transit so that the poor owners of the animals were not put to undue loss on account of negligence of the Railways.

1.19 In their reply to the recommendation, the Ministry of Railways have stated as follows:—

“An elaborate procedure for booking and transportation of animals by rail exists. It has been laid down that the animals have to be loaded in a specified type of wagons and that there should be adequate arrangement to supply fodder and water and also an attendant while they are being transported by rail.

The Claims Organisations on the Railways deal with the claims for death and injury of the animals sympathetically under specific provisions of section 77(A) of Indian Railways Act. The compensation payable has been prescribed in the first schedule to the said Act. If the value of animals has been declared to be higher than the amount stipulated in this Schedule and the consignors had not paid percentage charges upon the value declared, the Act debars payment of compensation exceeding the amount stipulated in the Schedule. Nevertheless, Railways are sympathetic to settle the compensation claims within the parameters laid down in Indian Railway Act.”

1.20 It seems that the Ministry of Railways have not paid due attention to the recommendations of the Committee that “intransit conditions of transport of animals by rail should be reviewed keeping in view the health and safety of the animals.” The Committee would like the Ministry to have a review made by a team of Experts and improve the intransit conditions of transport of animals in the light of recommendations of this Team.

Implementation of recommendations

1.21 The Committee would like to emphasise that they attach the greatest importance to the implementation of the recommendations accepted by Government. They would, therefore, urge that Government should ensure expeditious implementation of the recommendations accepted by them. In case where it is not possible to implement the recommendation in letter and spirit for any reason the matter should be reported to the Committee in time with reasons for non-implementation.

1.22 The Committee desire that reply in respect of the recommendation contained in Chapter V of the Report may be finalised and final reply of the Government furnished to the Committee expeditiously.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS THAT HAVE BEEN ACCEPTED BY GOVERNMENT

Recommendation (Sl. No. 2, Para No. 1.31)

The Committee find that the Safety, Publicity and Safety Campaigns/Drives by the Railways are largely directed to educate the staff of the Railways and make them safety-minded. They feel that there is necessity for educating the general public also in aiding Railway Safety. The Committee recommend that the Railways should also produce safety publicity material and undertake campaigns/drives with a view to educating the general public and the railway users in regard to their responsibilities and role in maintaining railway safety. In this context, the Committee also recommend that besides publicity material like posters, leaflets, pamphlets, advertisements and slides, the Railway should also think in terms of having documentary films produced for display on T.V. and cinema houses for creating railway safety consciousness in the general public. The Committee further recommend that imaginative publicity posters should be displayed near the Booking Counters.

Reply of Government

The travelling public are also educated about Railway Safety through various media—posters, notices and instructions displayed at stations, in the compartments of trains, through the public address system at stations, advertisements in the newspapers. For example, they are warned about hazards of carrying inflammable articles in the compartments, throwing cigarette ends here and there, and also irregular travelling on the roofs and buffers of trains. The general public and road-users are educated through posters and leaflets on precautions to be taken by them while passing through the level crossings, particularly unmanned ones. The publicity material is displayed at level crossings, and petrol pumps in the vicinity of level crossings.

2. The Railway Ministry has directed the Railways to display safety posters near booking offices as suggested by the Committee.

3. The Railway Ministry has been producing through the Films Division films on railway safety. Recently, four short films were produced with the following titles:—

- (a) A Tale of Negligence,
- (b) Look before you cross,
- (c) Never one for the Road, and
- (d) A Race with Death.

These films deal with subjects like fires on trains and such other incidents due to negligence on the part of the passengers, and accidents at level crossings due to disregarding of safety precautions, etc. These films have been released in the theatrical circuit. The film 'A Race with Death' was also screened on Delhi Doordarshan.

4. Radio and Television are used to convey message of safety. The Delhi Doordarshan ran a short safety slogan in respect of level crossings.

5. The Southern Railways has arranged for a sticker to be displayed on safety match boxes.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56 dated 25-7-1984]

Recommendation (Sl. No. 3, Para No. 1.32)

The Committee note that although a separate Safety Organisation has been created in Zonal Railways, the organisation does not attract talented people as it is bereft of the glamour attached to Departments like the operating Department and the head of the organisation does not carry the status equivalent to that of the Chief Operating Superintendent. In view of the importance of the organisation the Committee desire that a tenure in the organisation must be made rewarding career-wise for the officers and staff. The Committee would await the steps taken in this regard.

Reply of Government

Instructions already exist that posts in Safety Organisation should be filled up with competent officers with reasonably long tenure.

2. The Safety Organisation is now functioning as a part of the Operating Department, which has the Chief Operating Superintendent as the coordinating Head of the Department. There obviously cannot be two coordinating Heads of Department in one Department as it would jeopardise the administrative efficiency.

3. However, officers irrespective of the Department in which they may belong are considered for further advancement depending not only on their seniority but also on their performance, aptitude, abilities and administrative requirements. No special provision is possible regarding promotion of officers and staff mainly because they have had a tenure in the Safety Organisation.

4. Taking note of the recommendation of the Committee, the Ministry of Railways have decided that performance of officers during their tenure in the Safety Organisation should be given due recognition and accordingly while selecting officers for deputation/foreign assignments and training abroad, weightage should be given for their performance in the Safety Organisation.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56 dated 25-7-1984]

Recommendation (Sl. No. 5, Para No. 1.46)

The Committee trust that, as per the assurance given to them, the General Rules have since been revised and published.

Reply of Government

The new General Rules were introduced with effect from 1-7-1983.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56 dated 25-7-1984]

Recommendation (Sl. No. 6, Para No. 1.52)

The replacement of the screw couplers by CBC couplers, provision of comprised air brakes and introduction of automatic warning system on high density railway routes would reportedly result in greater railway safety and avoid accidents by collision. The Committee would like the Ministry of Railways to undertake a planned effort to introduce these improved devices in accordance with a time bound programme. The Committee would like to be kept apprised of the steps taken by the Ministry in this direction.

Reply of Government

Indian Railways' Research Designs & Standards Organisation is investigating the possibility of providing a suitable tight lock controlled slack CBC for coaching stock.

Air Brakes have already been provided on four Rajdhani rakes (two on Eastern Railway and two on Western Railway). More coaching trains (long distance superfast) will be provided with air brakes progressively.

The introduction of automatic warning system on high density Railway routes is already on accepted policy. It has been decided

to introduce this system on busy suburban section on Howrah-Bardhaman main line and chord section of the Eastern Railway and Churchgate-Virar section of the Western Railway in the first phase by 1985-86. The work on other sections will be undertaken based on the experience gained with this equipment on the above-mentioned sections.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56, dated 25-7-1984]

Recommendation (Sl. No. 7, Para No. 1.58)

The Committee recommend that the Ministry of Railways may examine in consultation with the Ministry of Finance whether it could be possible to liberalise the general Rules and Instructions in regard to grant of advance increments for meritorious work and for out-of-turn promotions in the case of Railway personnel who are adjudged to have made outstanding contribution in ensuring Railway Safety.

Reply of Government

The recommendation in respect of grant of Advance Increment for meritorious work has been examined and it is found that in view of the general orders of the Government, advance increments cannot be granted in recognition of meritorious work.

The recommendation regarding out of turn promotion is noted. It may be stated that any significant contribution of railway staff towards Safety in Railway working is recognised while evaluating their over-all performance and those adjudged outstanding do get an out-of-turn promotion.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56 dated 25-7-1984]

Recommendation (Sl. No. 8, Para No. 2.13)

The Committee are alarmed to find that during the 6th Plan period the requirement of track renewal had reached a total of 29048 kms. comprising of the arrears of track renewal at the beginning of 6th Plan period to the extent of 13048 kms. and arisings during the 6th Plan period of 16000 kms. Of the total of 29048 kms. of track renewal requirement, 19288 would be primary renewals and

9760 secondary renewals. As against the requirement, the 6th Plan (1980—85) provided an outlay of Rs. 500 crores only for a physical target of 10000 kms. of primary and 4000 kms. of secondary renewals making a total of 14000 kms. which was less than half of the total requirements. As against the provision in the 6th Plan, during the first three years of the 6th Plan only 4220 kms. (primary 3400, secondary 820) could be renewed at a total cost of Rs. 397.4 crores. The Ministry of Railways have told the Committee in evidence that the physical achievements against costs have been much less than the estimates because of high degree of cost escalation. It was represented to the Committee that it would be possible to cover the arrears of track renewal as also the current arisings in the next ten years if 3,300 kms. of track was renewed every year for which an allocation of Rs. 430 crores per annum would be required. In view of the increase in the number of rail fractures which were admitted to have assumed the proportions of 16 to 18 every day and also considering the fact that Railways are trying to maintain the track by imposing speed restrictions covering as much as 2700 kms. of track in 1983, the Committee cannot but strongly urge upon the Government the need for higher allocations for track renewal programme of the Railways. They hope that the Government and the Planning Commission would, considering the seriousness of the problem, make suitable allocations for undertaking track renewal programme of the Railways on a crash basis.

Reply of Government

The Committee's recommendations, as also the recommendation of the Railway Reforms Committee, for higher allocation of funds for track renewal programme of the Railway, has been kept in view while drawing outlines of the 7th Five Year Plan for the track renewals. Every effort will be made to convince the Planning Commission of the need for making higher allocation for the Railways in the 7th Plan period.

2. The progress of track renewals has, however, been fixed up in successive years of the 6th Plan period from 1096 kms. in 1980-81 to about 2100 kms. in the year 1983-84. The target has been fixed still higher at 2500 kms. of renewals in the current year (1984-85). The outlay for track renewals has also been increased from Rs. 109.3 crores (net) in 1980-81 to Rs. 250 crores (net) in 1983-84. The outlay in the current year is Rs. 300.0 crores (net).

3. As already mentioned in the evidence before the Committee, the initial target fixed for renewals in the 6th Plan period could not be realised due to phenomenal increase in the prices of Permanent way material.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56, dated 25-7-1984]

Recommendation (Sl. No. 9, Paras Nos. 2.22, 2.23 & 2.24)

The Committee have been assured by the Ministry that despite non-renewal of old track, no length of track is allowed to become safety hazard and that, pending renewals, certain measures like imposition of speed limits, increase in maintenance effort and vigilance to detect defective rails etc. are being taken.

For detecting the defects in the track, the Ministry have 85 hand operated ultrasonic detectors. The Ministry's further requirement for these type of detectors has been assessed as 37. The Ministry have informed the Committee that they are importing one power drive detector car, for trial. With this car it is possible to have visual detection of defects. The future requirement of this type of car is assessed by the Ministry as 9 cars.

The Committee are of the views that the whole track including meter gauge specially high density areas like Rajasthan should be tested at least once a year and that the tests should be thorough, leaving no scope for doubt as to the results. With this end in view, the Committee would like the Ministry to re-assess their total requirement of the most suitable detector car and procure these at the earliest to minimise chance of accidents on account of defects in Railway track.

Reply of Government

This is an observation.

2. Measures like increase in maintenance effort, imposition of speed restriction and vigilance to detect defective rails etc. are being continuously taken to ensure safety.

3. As a result of further supplies of 16 hand-operated ultrasonic detectors, received from ECIL/Hyderabad, the Railways now have 101 Nos. of hand-operated ultrasonic detectors. Action for procurement of some more rail flaw detectors is in hand.

4. As regards importing a power driven detector car, global tenders have been invited and are being processed. On the basis of the experience gained with this car, further procurement shall be planned.

5. At present, ultrasonic testing of rail is being attempted once in two years on all high density/high speed BG and MG routes. On Rajdhani route, it is being done once a year. On sections where incidence of rail fracture is high, testing is done more frequently.

6. As desired by Committee, the requirement of rail detector cars will be worked out on the basis of annual testing of rails.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56 dated 25-7-1984]

Recommendation (Sl. No. 10, Paras Nos. 2.36 & 2.37)

The Committee note that out of 2539 railway bridges which require heavy repairs or complete rebuilding and have been classified as "bridges under observation", speed restrictions have been imposed on 202 bridges which are found unsafe. In the Sixth Five Year Plan, Rs. 90 crores have been allocated under the Plan head "Bridges". Out of this, Rs. 50 crores have been used and on the basis of present allotment. Rs. 40 crores are available for the remaining two years of the Plan. However, the Ministry have asked, the Planning Commission to increase the Plan allocation to Rs. 110 crores. The Committee have been informed during the evidence that the additional funds asked for by the Ministry are likely to come in the remaining two years of the Plan.

The Committee cannot but too strongly emphasise the need for increasing the Plan allocations for the Sixth Five Year Plan period for railway bridges. This is absolutely necessary for the replacement or heavy repairs to such railway bridges as are found to be in dilapidated conditions and are accident prone.

Reply of Government

As recommended by the Estimates Committee, allocation of funds for the Plan Head "Bridges" in the VI Plan has been increased from the original Rs. 90 crores to Rs. 112 crores. For the current year (1984-85) budget allocation has been increased to Rs. 35.69 crores compared to the revised allotment of Rs. 27.19 crores in 1983-84, so that rehabilitation of bridges could be stepped up.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56 dated 25-7-1984]

Recommendation (Sl. No. 11, Para No. 2.45)

The Committee are perturbed to learn that the number of railway stations where signalling equipment has become due for replacement has reached the figure of 1221 and that at as many as 250 stations the equipment has become a safety hazard. According to the Ministry of Railways, the position has become acute because of shortage of fund allocated for the purpose in the past. The Committee are informed that as against the annual requirement of Rs. 30 crores for replacement of out-dated signalling equipment, the actual expenditure has been in the region of Rs. 5 crores to Rs. 10 crores per year, with the result that arrears of replacement have mounted and the system is fast becoming a safety hazard. Replacement of signalling equipment which has become a safety hazard should be adequately provided for so that railway accidents which are often caused by failure of signalling equipment could be avoided.

Reply of Government

Although the signalling equipment at 1221 stations is due replacement, there is no immediate safety hazard. Replacement of S&T gears at 250 stations on trunk/main lines is over due and is proposed to be undertaken expeditiously.

The work of replacement of wornout assets is undertaken on a programmed basis, based on the budget allotment every year. Emphasis is being given for allocation of more funds under 'Depreciation Reserve Fund' in the Signalling & Telecommunication Plan head to speed up the completion of replacement work. An allotment of Rs. 7.3 crores under 'Depreciation Reserve Fund' was made during 1983-84 and a sum of Rs. 20.52 crores has been allotted during 1984-85. With increased allotment of funds, it will be possible to increase the pace of replacement of wornout assets.

[Ministry of Railways O.M. No. 83-BC-EC|VII|56 dated 25-7-1984]

Recommendation (Sl. No. 12, Para No. 2.46)

The Committee have elsewhere in the Report recommended augmentation of financial allocations for different purposes to make travel by railways less hazardous. There is always a trade-off between addition of new assets and replacement and renewal of existing assets. The Committee has received an unmistakable impression that the renewals programmes of the Railways have been grossly neglected in the past. This neglect has been widespread in regard

to tracks, Bridges, signalling equipment etc. which pose a severe threat to safety of Railways' operation. The Committee welcome the recent emphasis on rehabilitation programmes and desire that this effort should be intensified by making adequate allocation for the remaining period of the 6th Plan and for the 7th Plan so that arrears are overtaken.

Reply of Government

The pace of replacement and renewal of wornout signalling equipment did not match with the requirement in the past, in view of shortage of funds, as could be seen from the fact that only a total of Rs. 16.33 crores was allotted under 'Depreciation Reserve Fund' during the three years 1980—83, as against an allotment of Rs. 17.3 crores and Rs. 20.52 crores under the same Plan head during 1983-84 and 1984-85 respectively. Allocation is being progressively increased to clear the backlog of replacement of wornout assets.

Within the overall constraint of funds, high priority has been given in the 6th Plan period for replacement of wornout Railway assets. For this, allocation to DRF has been raised from Rs. 220 crores in 1980-81 to Rs. 850 crores in 1984-85. Within the constraint of availability of resources in the Railway Plan, Railways have done their best to keep the assets in as satisfactory state of maintenance as possible.

[Ministry of Railways O.M. No. 83-BC-EC|VII|56 dated 25-7-1984]

Recommendation (Sl. No. 13, Paras Nos. 2.60, 2.61 & 2.62)

The Committee note that out of a total Sixth Plan period requirement of 14141 coaches comprising of 7742 coaches for meeting the needs of the replacement of over-aged coaches and 6399 coaches for meeting the growth of 5.5 per cent in non-suburban traffic, the Planning Commission have provided in the Sixth Plan for the manufacture of 5680 coaches and have allocated Rs. 447 crores therefor. This falls much short of the need based requirement of the Ministry even for replacement of over-aged coaches.

The Committee have been informed by the Ministry that in addition to paucity of funds, the existing industrial capacity to manufacture coaches is another factor upsetting the Ministry's programme to replace over-aged coaches. According to the Ministry at present the capacity to manufacture coaches is about 1100 to 1200 coaches per annum which again is below the replacement need.

The Committee have further been informed that the Planning Commission has approved the setting up by the Railways of a new factory for the manufacture of coaches with an annual capacity of 400 coaches per annum with the stipulation that the funds therefor must be found out of the existing allocation of funds for the Railways. The Ministry are, however, finding it difficult to set up the coach factory until the allocation of funds for the Railways is increased. The Ministry have further stated that the new coach factory should be of an annual capacity of 750 coaches per annum and only then the programme of replacing over-aged coaches could be expedited. The Committee would commend this enhanced capacity. The Committee trust that while enhancing the capacity for the manufacture of coaches and drawing up the production programme, the need for indigenous manufacture of the EMU coaches inadequate number so as to cater for the suburban traffic in Bombay, Calcutta and Delhi, would receive due attention. The Committee are anxious that the programme of replacement of over-aged coaches should be accelerated in the interest of comfort and safety of Railway travel.

Reply of Government

The observations and recommendations made by the Committee are noted. The Railways are going ahead with setting up of a new coach factory and for this purpose, Rail India Technical and Economic Services (RITES) have been appointed as consultants and they have been assigned the job of preparation of a detailed project report including its location survey. The proposed coach factory will have an initial production capacity of 400 coaches per annum with scope for expansion to 750 coaches per annum. With the increase in production capacity of coaches, it is expected that there will be an accelerated replacement of overaged coaches.

[Ministry of Railways O.M. No. 83-BC-EC|VII|56 dated 25-7-1984]

Recommendation (Sl. No. 14, Paras Nos. 3.15 & 3.16)

The Committee find that the major cause of railway accidents is "failure of railway staff". This failure is the result of variety of causes both personal and environmental which include wilful negligence. Stressing the importance of keeping the Railway staff in proper trim and cautioning against any complacency in this regard, the Committee would like to make the following suggestions:—

- (i) Maximum and minimum age-limit should be prescribed on realistic basis for active service in the case of sensitive posts connected with the moving of trains.

- (ii) Minimum standard of health should be prescribed for persons manning such sensitive posts. There should be a compulsory periodical medical check up and the continuance of persons in these posts should be subject to continued medical fitness. This should not be confined to eyetests as at present.
- (iii) Minimum educational and technical qualifications and experience should be laid down for such posts at different levels. Appointment should not be made to these posts merely by way of providing job opportunities at higher level to junior cadres.
- (iv) There should be a system of periodical compulsory refresher courses with a view to maintain the standard of technical competence of the persons and also to make them aware of technical innovations and changes made from time to time in procedures and practices.
- (v) As far as possible persons holding such posts should not be allowed to work over-time beyond a minimum time.

Reply of Government

(i) As far as direct recruitment is concerned, minimum and maximum age limits have been prescribed in the relevant recruitment rules with usual relaxation for SC|ST candidates. Even in respect of serving employees who may compete for posts against direct recruitment quota, while age relaxation has been provided for, an upper age limit of 35 years has been prescribed.

2. For certain promotion categories which are generally in higher grades, an upper age limit has been prescribed, keeping in view the job requirements. Such categories include those of Section Controllers, Assistant Station Masters, Firemen 'A'|Diesel Assistants|Assistant Elec. Drivers. The position in this regard is subject to review from time to time and wherever found necessary, upper age limits are prescribed. In such matters, the Organised Labour also are normally consulted as any upper limit of age for posts filled by promotion, has an adverse effect on the promotional prospects of serving employees.

3. The suggestion to prescribe a maximum age limit for active service in the case of sensitive posts, implies that for these posts only, a different and possibly lower age of superannuation has to be prescribed. It may be stated here that employees of Indian Railways are Central Government servants and their conditions of ser-

vice, including retirement on superannuation, have to be in conformity with the provisions of the Constitution. Differentiation in regard to age of superannuation in respect of a few categories alone may not be in order. Moreover, age has no bearing on the performance of an individual as long as he is physically fit and mentally alert.

(ii)

All running staff are subjected to periodical medical examination after every 3 years calculated from the date of their appointment until they attain the age of 45 years, thereafter they are medically examined every year upto the age of their superannuation. The doctors use their discretion as to the scope of general physical examination in each case and judge cases on their merits, taking into consideration the prospective duties of the examinees. To facilitate the examination by these doctors, a Health Card has recently been introduced indicating the various diseases etc. which the doctors have to keep in mind while undertaking such a medical examination. This will enable quite a comprehensive medical examination and the running staff etc. will be quite fit to undertake the arduous job of working the trains. In addition, if the doctors feel that deterioration in the health of the staff might occur earlier than the time when he is due for next periodical medical examination, a rider is added to send him again after a much shorter interval, i.e., after six months or one year depending on the next examination which would be due in the normal course.

2. Supervisors observe the general behaviour, fitness as well as performance of the staff. In case they suspect that he is not upto the mark, they send him for a special medical examination, indicating in brief their observations. Similarly, in case any of the staff is afflicted by any illness, the treating doctor also carries out a medical examination with a view to seeing if the employee is fit to return to his normal duties. In practice, many staff are not allowed to resume their duties in which safety is involved, although they have recovered from illness. Staff whose illness has left permanent damage and are found medically unfit, are decategorised and absorbed in alternative jobs according to the medical category for which they are fit. Recently, another safeguard to detect any case of drunkenness on duty by way of Breath Analyser test has also been introduced and those drivers found to be drunk are not taken on duty.

3. While safeguards are already in existence as indicated above the Ministry regularly reviews the efficacy of these measures and adopts further improvements as found necessary from time to time.

(iii)

Here also, minimum educational and technical qualifications are laid down in the relevant rules or orders regulating direct recruitment, keeping in view the job requirements. The educational and technical qualifications so laid down are, however open to review, keeping in view the general improvement in standards of education in the country and the latest technological developments in various fields.

2. Posts in higher grades are generally filled by promotion. For this purpose, promotional avenue charts have been laid down, indicating, *inter alia*, the educational and technical qualifications and/or service experience required for promotion. In a number of intermediate grades in Group 'C' and in some grades even in Group 'A' services, provision already exists for lateral induction or for direct recruitment. In a number of cases for promotion from one level to the other, staff are also put through a promotional course of training to equip them better to hold positions of higher responsibility demanding higher skills. Thus, by a combination of experience, qualifications and training, the objective of manning posts at various levels by staff with the requisite calibre, is sought to be achieved. In other words, in the existing system in any given grade, generally there is a mixture of staff with higher qualifications but with comparatively lesser experience and staff with lesser qualifications but with longer experience.

3. Recently, posts connected with the movement of trains have been classified as safety Category posts. For all such posts, before promotion to the next grade, a minimum of two years service in one grade has been laid down. At initial recruitment stage, certain categories of staff intimately connected with the running of trains are subjected to a psychological test. This coupled with the periodical medical examination which this category of staff is required to undergo, is designed to ensure that the staff are not only physically fit to discharge their duties but are also mentally so. It may be mentioned here that for staff connected with the movement of trains, the highest class of medical standard has been prescribed.

4. Posts are classified as 'Selection' and 'Non-selection' posts for purposes of promotion and a well established procedure exists for promotion from one grade to the next. Hence, it would not be correct to say that appointments to higher grades are made merely to provide job opportunities to junior cadres.

5. To sum up, recruitment has been prescribed at different stages of Class III cadres in a manner that would:

- (a) be consistent with the qualifications indicated for the grade; keeping in view the general situation in the country;
- (b) not demotivate lower formations to an extent that would be counter productive as every formation has to work with a reasonable degree of effectiveness and efficiency; and
- (c) maintain a healthy mix of experience and academic|technical qualifications at every stage so that persons who are taken in at any stage with qualifications higher than those prescribed, can, on acquisition of experience get promotion in turn to higher stages to which even better qualifications may be prescribed for recruitment

6. Within this broad framework, changes can be and are made to suit to changing needs of times in a dynamic organisation like the Railways.

The suggestion of the Committee is accepted. The Ministry of Railways has already issued instructions and repeated them from time to time that Railway staff should be given refresher courses in order to update their technical and working knowledge. Random checks, however, indicate that at times there is backlog of staff for refresher courses in certain categories. The reasons for the arrears are inadequacy of training capacity, existing vacancies in the cadres, on account of which staff are not spared, reluctance of staff at advanced age to go to training schools, etc.

2. Steps have been taken to review the training capacity and to make good the vacancies in the various cadres. The Ministry of Railways have also decided recently that the refresher courses should be tailor-made to meet the requirements of different categories of staff and that their duration should not exceed two weeks at the maximum. Crash programme should be conducted by deputing officers and Inspectors to give refresher training in the field. HODs should also visit Zonal Training Schools to deliver lectures. The Ministry of Railways have also instructed the Railways to make use of the modern audio-visual training aids to make the training programmes more attractive and effective. It is also proposed to supply in advance suitable reading material to the staff deputed for refresher training courses so that they are fully prepared to enter into discussion on important aspects about which they have any doubts. In

order to further augment refresher training, the Ministry is also considering introducing on-the-job refresher training to staff.

As far as possible, railway running staff are not allowed to work overtime beyond minimum time required in the exigencies of the service. It may, however, be added that, in view of the very nature of Railway working, extra working becomes inescapable in certain cases and it cannot always be pre-judged or anticipated.

Measures have, however, been taken by Railways to restrict the running duty hours at a stretch to 10 hours and provide them with relief thereafter save in exceptional circumstances of unavoidable operational exigencies or of accidents, floods, emergencies, etc. Instructions have also been issued advising the Railways to introduce crew control system with a view to ensuring optimum utilisation of running staff and to avoid undue overtime working.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56 dated 25-7-1984]

Recommendation (Sl. No. 15, Para No. 3.17) *

As regards the conditions of living of the Station Masters and Asstt. Station Masters who are required to live in way-side stations without adequate facilities, the Committee would like the Ministry of Railways to try to improve the facilities especially housing.

Reply of Government

The Committee's observations are noted. It is an accepted policy of the Railways to provide residential quarters on a programmed basis to such of the essential staff, including Station Masters and Assistant Station Masters, who are required to reside near their place of work and are likely to be called on duty at any odd hours during day and night. Most of the Station Masters and Asstt. Station Masters posted at way-side stations have been provided with Railway quarters. Railways have been advised to review the existing housing facilities for Station Masters and Asstt. Station Masters at way-side stations and to plan on programmed basis for the same where these are lacking.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56, dated 25-7-1984]

Recommendation (Sl. No. 16, Para No. 3.18)

The Committee find that at present the field of recruitment for loco drivers is the category of firemen, who are mostly unskilled and in many cases hardly literate. The Committee are of the view that

with the emoluments and perks attached to the post of loco Driver the Railways can have far better skilled and qualified drivers. The Ministry have assured the Committee that they are going to amend the rules for recruitment of railway drivers to provide for 50 per cent of them being selected on the basis of departmental examination from firemen who are matriculates and have got 3 years service. The Committee feel that even this measure may not go a long way in the recruitment of efficient and qualified drivers. They would like the Ministry to examine whether the field of recruitment could be enlarged by inducting even outsiders with minimum prescribed qualifications such as graduation or diploma in Mechanical Engineering, who could be given training before assigning them regular duties.

Reply of Government

This is a major issue relating to staff matters. As such, the same is being examined in depth and action taken will be communicated to the Committee later.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56, dated 25-7-1984]

Recommendation (Sl. No. 17, Para No. 3.19)

The Committee note that a team of Joint Directors from the Railways Board has visited all the Railways for sample checks to see if there are any deficiencies or lacunae in operating or maintenance practices and whether any short cut methods were being employed in the working of trains. The outcome of the study showed a number of lapses on the part of the staff in following the laid down procedures and practices. The Committee would like the Ministry to take immediate and intensive corrective steps to make the staff safety conscious. The Committee hope that the Ministry would undertake such studies periodically in future also so that necessary steps are taken as and when required to keep the staff alert.

Recommendation (Sl. No. 17, Para No. 3.19)

Inspections and correction of the short-comings noticed are a continuous exercise to maintain safety consciousness in the Railway Staff at a high level.

The observations of the Committee regarding special studies to be made by the Ministry of Railways have been noted. Some of the studies conducted include:-

- (i) Teams of Directors functioning directly under Members of the Railway Board carried out spot checks on level cross-

ings to review the system of working, the availability of safety equipment and the knowledge of gatemen.

- (ii) Teams of selected inspectors drawn from various Railways were deputed to carry out inspections and counselling of staff on the Eastern, South Eastern, Central and Western Railways.
- (iii) Another team of Inspectors was deputed to check various aspects of working and especially non-interlocked operation in major yards on the Northeast Frontier Railway.
- (iv) A special study was made by Additional Director (Safety) of the maintenance of tank wagons, derailments of tank wagons and fires involving tank wagons.

Special studies will continue to be undertaken by the Board as and when required.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56, dated 25-7-1984]

Recommendation (Sl. No. 18, Para. No. 3.36)

The Railway Administration is liable to pay compensation in the event of an accident to a train resulting in injury to and/or death of passengers. The Committee have been informed that amount of compensation payable in the case of death is proposed to be raised to Rs. 1 lakh from Rs. 50,000 and an amendment to the Indian Railway Act will be introduced in Parliament shortly. The Committee trust that the amendment would be carried out early.

Reply of Government

The maximum amount of compensation payable in case of death or total incapacitation in a train accident under Section 82A of the Indian Railways Act, 1890 has since been raised to Rs. 1 lakh w.e.f. 4-3-1983. An amendment to the relevant provision of the Act has been published in the Gazette of India Extraordinary dated 26-12-1983 Notification for amending the relevant rules concerning enhanced amount of payment for various types of injuries ranging from Rs. 20,000/- to Rs. 1 lakh has since been issued.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56, dated 25-7-1984]

Recommendation (Sl. No. 19, Para No. 3.37)

The Committee learn that the average time taken for settling claims in major accidents varies from 180 days to 300 days. However,

in the cases of minor accidents the average time varies from 270 days to as much as 1731 days. Whereas there is a time-limit within which claim should be filed there is no time-limit for payment of compensation. The Committee feel that there ought to be a time-limit for the latter also.

Reply of Government

Rule 4 of Railway Accidents (Compensation) Rules, 1950 designed to carry out the objectives of Section 82B of the Indian Railways Act, 1890 introduced the concept of 'major' and 'minor' accidents and stipulated that, while nominated District Judge/Chief Judicial Magistrate would act as standing *ex-officio* Claims Commissioners to inquire into and determine the claims arising out of 'minor' accidents occurring in the areas of their respective jurisdiction, the Central Government shall appoint an *ad hoc* Claims Commissioner in a 'major' accident.

2. As regards imposing time limit within which the claims are to be settled, it is stated that the Ministry of Railways have already written to the State Governments to impress upon the *ad hoc* Claims Commissioners at the time of their appointment the necessity of deciding the claim cases within six months. As regards claims in 'minor' accidents which are decided by the standing *ex officio* Claims Commissioner in addition to their normal duties, the High Courts have been approached with a request to issue necessary directions to the lower courts to settle the accident claims cases expeditiously on humanitarian grounds. However, it would not be possible to fix a time-limit within which the claims cases are to be finalised as the same are decided after full-fledged court proceedings which are often time-consuming.

3. In this connection, it may be submitted that one of the recommendations of the three-member Committee on accident compensation is to constitute Standing Claims Tribunals to deal with all claims cases arising out of train accidents both 'minor' and 'major', which has been accepted by the Ministry of Railways. Necessary action is being taken to amend the Indian Railways Act, 1890 and Railway Accidents (Compensation), Rules, 1950 suitably to implement this recommendation.

[Ministry of Railways O. M. No. 83-BC-EC/VII/56 dated
25-7-1984]

Recommendation (Sl. No. 20, Para No. 3.38)

The Committee strongly feel that the poor and illiterate people who are injured or bereaved should not be harassed and the procedure for payment of compensation leave a lot of scope for simplification. The Committee have been informed that on the recommendation of the Railway Convention Committee, a three-member Committee consisting of two Directors from Railway Board and one representative from the General Insurance Company nominated by the Finance Ministry is already on the job of streamlining the existing procedure and finding out how payment of compensation could be expedited.

Reply of Government

The two recommendations to cut down delay put forward by the three-member Committee are:—

- (a) Formation of Standing panels of judges willing to be posted as *ad hoc* Claims Commissioner, and
- (b) Constitution of three or four standing one-man Claims Tribunals.

2. The above two recommendations have been accepted by the Ministry of Railways.

3. As regards formation of Standing panels of judges to act as *ad hoc* Claims Commissioner to deal with the Claims cases pertaining to train accidents, a reference has been made to the Ministry of Home Affairs for issuing necessary directives to the State Government to enable the railways to form the Standing panels of Judges.

4. As regards constitution of permanent one-man Claims Tribunals remarks, have already been offered against recommendation No. 19.

[Ministry of Railways O. M. No. 83-BC-EC/VII/56 dated
25-7-1984]

Recommendation (Sl. No. 21, Paras Nos. 3.39 & 3.40)

During evidence the representatives of the Ministry assured that he would refer the following suggestions made by the Estimates Committee to the three-member Committee:—

- (i) Separate procedure for payment of compensation in the case of major and minor railway accidents are not neces-

sary as in both cases death or injuries are caused to the travelling public. A single unified procedure may be evolved for all such railway accidents.

- (ii) Procedure for payment of compensation should be simplified by accepting the identity of the rightful claimant who produces a succession certificate in the case of a death of a passenger. Independent determination of the identity of the rightful claimant by the Claims Commissioner is not necessary.
- (iii) Conditions for payment of compensation like production of income-tax and wealth-tax and wealth-tax clearance certificate before payment were causing undue hardships and should be given up.

The Committee would await with interest the report of the three member Committee and would like to be apprised of the recommendations of the Committee and the action taken thereon.

Reply of Government

(i) The idea behind the demarcation between 'major' and 'minor' accidents was to facilitate quick liquidation of claims in the event of an accident with heavy casualties, the claims of which otherwise would have remained unattended with an *ex-officio* Claims Commissioner as he has to attend to these claims in addition to his normal duties.

However, the three-member Committee have recommended for standing one-Man Claims Tribunals for dealing with accident claims cases. This recommendation has been accepted by the Ministry of Railways. Necessary action is being already taken to amend the Indian Railways Act, 1890 and Railway Accidents (Compensation) Rule, 1950 suitably to implement this recommendation. Once the Tribunals are constituted there will be single unified procedure to deal with claims cases pertaining to both Major and Minor accidents.

(ii) As regards accepting production of succession certificates as an identification document for a rightful claimant, it is stated that obtaining a succession certificate from a civil court is a very arduous and time-consuming process. Insisting on production of succession certificate will, therefore, be a hardship to the claimants rather than any help to them.

(iii) At present, the Railways do not demand income tax and wealth tax clearance certificates from the claimants before making payments in the accidents claims decided.

Five copies of the Report of the three-member Committee are being sent separately for perusal of the Estimates Committee.

Action taken on the recommendations of the three-member Committee are indicated below:—

Recommendation Nos.	Decision of the Ministry of Railways	Action taken to implement the recommendations
1 & 2	Observation only	
3 & 4	Accepted	No action required. Existing practice will continue.
5 & 6	Observation only	
7	Accepted	Ministry of Home Affairs have been approached for issuing instructions to the State Government to help the Railways to form the panel as proposed.
9 & 11	Accepted	Suitable action is being taken in consultation with the Ministry of Law to amend the Indian Railways Act, 1890 to effect implementation of the recommendations.
10	Accepted	
12	Accepted	Instructions have been issued to the Zonal Railways for implementation.
8, 13, 14 & 15	Under consideration	
17	Accepted	
18	Accepted	Section 82A (2) of the Indian Railways Act, 1890 has been suitably amended to enhance maximum amount of compensation from Rs. 50,000/- to Rs. 1 lakh in regard to other amendments action is being taken.

[Ministry of Railways O. M. No. 83-BC-EC/VII/56 dated 25-7-1984]

Recommendation (Sl. No. 22, Para No. 3.41)

The Committee have been informed that the payment of compensation to the Railway employees on duty or travelling on passes or PTOs was governed by the provisions of the Workmen's Compensation Act. The Committee feel that so far as the workers on duty are concerned the existing practice as some relevance but in the case of Railway employees travelling on PTOs or passes, they should be treated at par with the general public.

Reply of Government

Railway servants who are injured or killed in a train accident while travelling as ordinary passengers with a free duty/privilege pass or PTO are also entitled to compensation under Section 82A of the Indian Railways Act, 1890 like any other bonafide passengers.

[Ministry of Railways O. M. No. 83-BC-EC/VII/56 dated 25-7-1984]

Recommendation (Sl. No. 27, Para No. 3.73)

The Committee have been informed that at present there are 22,627 unmanned level crossings on the Indian Railways. According to the criteria evolved so far, about 1600 level crossings have been identified for manning on programme basis. Out of these, the Railways have decided to take up the manning of 1200 such crossings at their own cost. For 400 such crossings, State Governments have been asked to share the initial cost which will be reimburseable to them. The Committee underline the need for earnest implementation of the conversion programme on 1600 Railway level crossings so as to complete it within 4 years as envisaged.

Reply of Government

The Committee's observations are noted. Every effort is being made to complete the manning of 1600 level crossings. The present progress is as under:—

(i) Manning of level crossings at Railways' Cost:

Total Number : 1200.

Year	Sanctioned	Actual performance	Remarks
1982-83	276	250	Remaining works are in progress.
1983-84	306	182	Do.
1984-85	300

The remaining level crossings will be considered for inclusion in Railways 1985-86 Works Programme.

(ii) *Manning of level crossing at initial cost of State Government.*

Total Number : 400.

In this regard, the Railways have approached the State Government to deposit the initial cost for taking up the works. The matter has also been taken up by Minister of Railways with State Chief Ministers. So far, the response from the State Governments has been very poor and only 16 level crossings could be manned in 1982-83 and 1983-84. However, the matter is being vigorously pursued by the Railways with State Governments to obtain their sanctions and deposit of initial cost for undertaking these works.

[Ministry of Railways O. M. No. 83-BC-EC/VII/56 dated
25-7-1984]

Recommendation (Sl. No. 28, Para No. 3.74)

Since cases of Railway accidents at Railway crossings have lately shown an increase, the Committee would like the Ministry of Railways to have the review of "rules, regulations, norms, equipment, conditions etc." regarding Railway crossings recently undertaken by them, completed soon and as a follow up provide such additional facilities at the Railway crossings as may be necessary to prevent or at least minimise accidents in future.

Reply of Government

Noted. The level crossings are classified into various categories depending on the level of traffic both Rail and Road and the scales of safety equipments and methods or working have been prescribed. Recently, the technical Directors have reviewed the provision of safety equipments and working conditions at the level crossings. The norms as presently laid down have been considered adequate. However, the Directors have considered that a warning system actuated by an approaching train is distinctively superior to a telephonic connection at a level crossing because it eliminates chances of human error in conveying and receiving information over the telephone. The Ministry of Railways has decided to carry out trials with train actuated systems based on high-frequency track circuits and electronic treadles. The use of train actuated automatic warning devices will be extended selectively depending on the results achieved and availability of resources.

Every attempt is being made to provide safety equipments, in accordance with stipulated norms at level crossings to the maximum extent availability of funds permits.

[Ministry of Railways O. M. No. 83-BC-EC/VII/56 dated
25-7-1984]

Recommendation (Sl. No. 29, Para Nos. 4.16 and 4.17)

The Committee have been informed that there has been an increase in incidents of crimes on Railway but the increase in cases of murders, theft, pilferage etc., is confined to certain pockets and sections of Railways. They also note that law and order being a State subject, it is the responsibility of the States to check and handle crimes on Railways.

At present the Railways have no machinery of their own to ensure that cases of crimes on Railways registered with Government Railway Police (G.R.P.) are taken by the latter to Courts and the Railways even do not know the number of such cases registered with the G.R.P. This is not a happy state of affairs. The Committee would like the Ministry of Railways to keep track of such cases occurring on Railway premises or on moving trains and inform themselves of the state of progress of such cases by the G.R.P. in a systematic manner. It should be possible for the Railways to elicit cooperation of the State Governments in this matter as the Railways are contributing to the cost of maintaining the G.R.P. The Committee wish to emphasise that greater efforts are needed to check the crimes in moving trains to ensure safer travel. The Committee would like to know the steps taken in this regard.

Reply of Government

Observations of the Committee have been noted.

Instructions to the Zonal Railways already exist, whereby they are required to follow up each and every individual case of robbery and dacoity, involving passengers and their property, with the Government Railway Police till the case is closed. These instructions have since been reiterated.

[Ministry of Railways O. M. No. 83-BC-EC/VII/56 dated
25-7-1984]

Recommendation (Sl. No. 30, Para No. 4.18)

Theft of Railway Property is going on unabated. Besides other steps that Railways may be taking or contemplating to contain and arrest the problem the Committee would like the Ministry of Railways to evolve a system whereby an individual officer or a unit for R.P.F. is made personally responsible for the protection of Railway Property under his/their charge and in case of theft, suitable action should be taken against him/them.

Reply of Government

From the available statistics it is evident that the rate of increase in the value of stolen booked consignments has been arrested in that it was 43 per cent in 1980, came down to 9.9 per cent in 1982 and in 1983 it was 1.55 per cent only. In the case of railway material, the percentage of recovery have increased. It was 36 per cent in 1980, and increased to 58.50 per cent in 1982.

The Railway Protection Force was constituted under section 3 of RPF Act, 1957 for better security and protection of railway property which includes any goods, money or valuable security or animal, belonging to or in the charge or possession of a Railway Administration. The Administration of RPF in each zonal railways is carried on by the Chief Security Officer in accordance with the provision of this Act and of any rule made thereunder. Each zone is divided in Divisions which are headed by Senior Security Officer/Security Officer. For better protection of Railway property each division is further divided in RPF Posts and Out Posts having their jurisdiction under the charge of the Inspector and Sub-Inspector/Asstt. Sub Inspector respectively. For effective guarding the yards and other installations, the jurisdiction of Post and Out Post are further divided in beats and each beat is manned by the Rakshaks. In case of any theft from his beat, the Rakshak is held responsible and punished. The work of the Rakshaks is supervised by the Post and Out Post officers. Superior officer during their visit to Posts and Out Posts study the crime situation of Post from the records maintained for the purpose. Besides, monthly crime review is also called for from each Post which is also perused by the superior officer, i.e., Sr. Security Officer/Security Officer, and in case of deterioration of the crime situation of a particular post/out post, responsibility of the officer in charge of the Post and Out Post is fixed and suitable disciplinary action is initiated against them. Similarly, it is incumbent upon each Division to submit monthly crime review to the Chief

Security Officer which is scrutinised at Zonal office and for increase in the theft in any Division, suitable action is taken against the in-charge of the Division.

In view of the position explained above, system as suggested already exists to fix responsibility of the RPF staff including individual officer for guarding the Railway property, and in case of any theft, to initiate suitable action against them.

Thefts of booked consignments very often take place while the train is moving. The speed of goods trains have been accelerated with fewer and shorter halts, which makes localisation of such crime difficult. Action is therefore, not feasible in each such case of theft but all-out efforts are made to ensure and enforce individual accountability.

[Ministry of Railways O.M. No. 83-BC-EC|VII|56 dated
25-7-1964]

CHAPTER III

RECOMMENDATIONS|OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PERSUE IN VIEW OF GOVERNMENTS REPLIES.

—NIL—

CHAPTER IV

RECOMMENDATIONS|OBSERVATIONS IN RESPECT OF WHICH REPLIES OF GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE

Recommendation (Sl. No. 1, Para No. 1.13)

The Committee had observed that as on 31 March, 1984, the 'Accident compensation, Safety and Passenger Amenities Fund' had accumulated a balance of Rs. 46 crores. As the payment of compensation was but a minor part of the expenditure from the fund, the Committee had concluded that such improved safety measures and passenger amenities as could be provided were not provided. The reasons adduced by the Railways for this neglect being not convincing, the Committee had recommended that money kept apart for specific purposes ought to be spent and the objectives realised and that if there were any constraints imposed by the Planning Commission in that regard, the matter should be sorted out with them.

Reply of Government

The Ministry have in their reply stated that "When the Planning Commission imposes total ceiling on the plan funds, the railways could not spend more than the ceiling. If the plan allocation was inadequate, it becomes inevitable to attempt some sort of balancing between the requirements under different plan heads. The solution, therefore, in fact lay in increased plan allocation for the railways and the Railways will plead with the Planning Commission for higher allocation."

[Ministry of Railways O.M. No. 83-BC-EC|VII|56 dated 25-7-1984]

Recommendation (Sl. No. 4, Para No. 1.40)

The Committee have been informed by the Ministry of Railways that the set up at the zonal and divisional level is generally adequate except in a few Divisions. According to the Ministry the existing organisations should work more purposefully by increasing inspections and follow up action. The Ministry have admitted before the Committee that complaints have also been received that the quality of safety Counsellors at the Divisional Level is not upto the mark. The Committee desire that the organisation and its achievements should be critically reviewed and the organisation qualitatively strengthened.

Reply of Government

Safety of Railways is not a charge solely of the Safety Organisation; it is the responsibility of all the Departments. First requirement of Railway safety is the proper maintenance of the infrastructural assets like track, rolling stock and signalling equipment. For this matter, the departments, namely, Civil Engineering, Mechanical Engineering, Signal and Telecommunication Engineering, Electrical Engineering etc., have a direct well-defined responsibility and accountability. These departments lay down and up-date from time to time design parameters and specifications and also maintenance practices, etc.

Operation on railways required a synthesis of the actions of different categories of staff in order that transportation be produced. Safety of train working depends on the proper observance of the rules framed for different categories of staff. The Safety Organisation has the primary responsibility of monitoring of the proper adherence to the rules in actual day-to-day working. The Safety Organisation also performs certain centralised functions like logging details of accidents, ordering enquiries into them, monitoring follow-up action, analysing the trends of accidents, etc.

The Safety Organisation at the Zonal headquarters of Railways is headed by a Chief Traffic Safety Superintendent. On the Divisions, it is headed by a Divisional Safety Officer. The Divisional Safety Organisation has also Safety Counsellors drawn from different departments for the purpose of counselling the staff in correct methods of working.

The performance of the Safety Organisation is kept under constant watch. A number of posts of Divisional Safety Officers have been upgraded from the Senior Scale to the Junior Administrative Grade. It is proposed to allot Junior Administrative Grade on all the Divisions as soon as possible.

Safety Counsellors working on the Divisions are in different grades. In order to select most suitable persons, the posts of Safety Counsellors are treated as ex-cadre. It is proposed to allocate higher grades to Safety Counsellors as soon as possible.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56, dated 25-7-1984]

Recommendation (Sl. No. 23, Para No. 3.61)

According to the Ministry of Railways claims for compensation for booked goods and animals damaged or destroyed in accidents are dealt with under the relevant Sections of the Indian Railway Act. The Committee have been informed that the claims were settled in 6 or 7 weeks but in exceptional cases, it has even taken years. The

Committee feel that there is need to specify the period within which the claims should be settled. This would instil in the minds of officers concerned a sense of urgency to dispose of the claims at the earliest.

Reply of Government

Urgency for settlement of compensation claims is emphasized on Railways from time to time. Directives have already been issued to the Railways that claims should be disposed of within a reasonable time, which should not exceed six weeks. To work within this target, Railways have been advised that avoidable steps of processing should be eliminated and there should be no delays in enquiries, verifications, correspondence, etc. The following additional steps have been taken to achieve this target:-

- (a) Monetary powers of officers, Inspectors and Station Masters of selected important stations have been enhanced;
- (b) Monetary limit of claims requiring financial concurrence has been enhanced;
- (c) Mobile claims offices have been set up at a number of stations to receive and settle claims on the spot;
- (d) Submission of missing goods report in advance to claims offices; and
- (e) Streamlining and re-organisation of machinery for settlement of compensation claims.

2. Statistics about the settlement of compensation claims cases are being called for from the Railways regularly in order to keep a watch on the speed of settlement of claims. The officers entrusted with the task of settlement of claims are thus always kept alive to the importance of quick settlement of claims.

3. Though this Ministry is keen and every effort is made to settle all claims as expeditiously and with as little inconvenience to the claimants as possible, in some cases involving heavy amount and requiring detailed enquiries, delay is unavoidable for various reasons. Some of the important factors resulting in delay include :—

- (a) Non-production of relevant legal documents such as Original Railway Receipt, Beejuck, shortage|deficiency certificate and letter of authority in cases where claimant is not the consignee or endorsed consignee for admissibility of claims;
- (b) Delay in availability of accident proceedings where consignments are involved in accidents;
- (c) Criminal interference needing investigation by police, in-

volving seizure and delay in disposal or release instructions; and

- (d) Delay in receipt of investigation report from Railway Protection Force, Government Railway Police and Special Police Establishment; etc.

4. During 1981-82, the average time taken for settlement of claims on all Indian Railways was 40 days and the same for 1982-83 was 43 days, close to the target of 42 days.

5. In view of the constraints explained above, it is not feasible to specify a rigid period within which a claim has to be settled.

[Ministry of Railways O. M. 83-BC-EC/VII/56, dated 25-7-1984].

Recommendation (Sl. No. 24, Para No. 3.62)

There is a feeling among the public that there are corrupt practices in the matter of settlement of claims and that even false claims are admitted by Railway Officials in collusion with the claimants. In order to dispel this impression the Committee recommend that Railways should devise a stricter system of supervision and random checks on the work and performance of claims officials at various levels and for deterrent action against those found to be indulging in corrupt practices.

Reply of Government

The existing system of settlement of claims provides for safeguards against corrupt practices or collusion of Railway officials with the claimants. The important provisions are :—

- (a) The claims are settled on the basis of documentary evidence, *viz.*, original Railway Receipt, shortage/deficiency certificate, sender's beejuck and letter of authority in cases where claimant is not the consignee or endorsed consignee, which cannot be fabricated.
- (b) In cases where the "beejuck" value appears to be on the high side (Inspectors are deputed to verify the prevailing market price of the goods lost/damaged, etc. which is taken into consideration for finalising the claim.
- (c) High value compensation claims are dealt with by officers at senior levels.
- (d) In case of consignments arriving at destination in a damaged condition or showing signs of having been tampered with, detailed procedure has been prescribed for granting open delivery of goods in order to prevent exaggerated claims.
- (e) Payments of compensation claims involving Rs. 15,000[-

and above are subject to scrutiny and prior concurrence of the associate finance of the railway.

- (f) A random check of cases is made at higher levels to ensure that cases are being decided correctly at the initial stage.
- (g) Audit also checks and scrutinises settled claims cases randomly.
- (h) Checks are also exercised by the Claims Prevention Agencies.

2. When specific complaints regarding any malpractice in the settlement of claims are received, those are investigated by the Vigilance Organisation and suitable follow-up action is taken against defaulting staff, if any. Besides, preventive checks are also conducted at random by the Vigilance Organisation at stations where such claims arise and also in the claims offices where those are settled.

3. The preventive checks at stations and claims offices are being intensified.

[Ministry of Railways O. M. 83-BC-EC/VII/56, dated 25-7-1984].

Recommendation (S. No. 25, Para, No. 3.63)

The Committee recommend that the intransit conditions of transport of animals by rail should be reviewed keeping in view the health and safety of the animals. They also recommend that in the case of death of or injury to animals during transit by rail the claims for compensation should be considered in a sympathetic manner so that the poor owners of the animals are not put to undue loss on account of negligence of the Railways.

Reply of Government

An elaborate procedure for booking and transportation of animals by rail exists. It has been laid down that the animals have to be loaded in a specified type of wagons and that there should be adequate arrangement to supply fodder and water and also an attendant while they are being transported by rail.

2. The Claims Organisations on the Railways deal with the claims for death and injury of the animals sympathetically under specific provisions of section 77 (A) of Indian Railways Act. The compensation payable has been prescribed in the first schedule to the said Act. If the value of animals has been declared to be higher than the amount stipulated in this schedule and the consignor has not paid percentage charges upon the value declared, the Act debars payment of compensation exceeding the amount stipulated in the Schedule. Nevertheless, Railways are sympathetic to settle the compensation claims within the parameters laid down in Indian Railway Act.

[Ministry of Railways O. M. 83-BC-EC/VII/56, dated 25-7-1984].

CHAPTER V

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH REPLIES ARE STILL AWAITED

Recommendation (Sl. No. 26. Para, No. 3.64)

It has been admitted during evidence that the Legal Advisory set up at the Divisional and Zonal level of the Railways is inadequate. This is bound to result in delays in settlement of cases in courts. Besides, ineffective pleading of Railway cases in courts could also result in decisions by courts unfavourable to Railways. The Committee therefore recommend that the Ministry should review the legal advisory system at the Divisional, Zonal and Headquarters level in consultation with the Ministry of Law to make it more effective.

Reply of Government

The matter is under consideration and action is being initiated to strengthen the Legal Cells, both on the Railways and in the Railway Board's Office.

[Ministry of Railways O.M. No. 83-BC-EC/VII/56, dated 25-7-1984]

CHENTAMANI PANIGRAHI,

Chairman,

Estimates Committee.

NEW DELHI;

July 29, 1985[Sravana 7, 1907(S)]

APPENDIX

(Vide Introduction of the Report)

*Analysis of Action taken by Government on the 56th Report of Estimates Committee
(Seventh Lok Sabha)*

I.	Total Number of recommendations	30
II.	Recommendations/Observations that have been accepted by Government	
	Nos. 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, and 30	25
	Percentage to total:	84%
III.	Recommendations/Observations which the Committee do not desire to pursue in view of Government replies	
	No. NIL	
	Percentage to total:	NIL
IV.	Recommendations/Observations in respect of which Government's replies have not been accepted by the Committee	
	Nos. 4, 23, 24 & 25	4
	Percentage to total:	13%
V.	Recommendations/Observations in respect of which final replies of Government are still awaited	
	No. 26	1
	Percentage to total	3%

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PUBLISHED UNDER RULE 382 OF THE RULES OF PROCEDURE AND CONDUCT
OF BUSINESS IN LOK SABHA (SIXTH EDITION) AND PRINTED BY THE
GENERAL MANAGER, GOVERNMENT OF INDIA, PRESS,
MINTO ROAD, NEW DELHI.